

# **EXHIBIT 36**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Artis Ellis

vs.

Civil Action No. 4:14-CV-02126

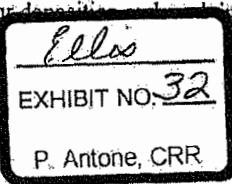
Educational Commission for Foreign Medical  
Graduates

\$  
\$  
\$  
\$  
\$  
\$  
\$

DIRECT QUESTIONS TO BE PROPOUNDED TO  
CUSTODIAN OF RECORDS FOR:

SUN LIFE ASSURANCE COMPANY OF CANADA (Disability)

1. Please state your full name, address, telephone number, occupation and official title. ANSWER Lawrence R Griffin 1-SunLife Ex Park Wellsley Ma 02481 781-446-1553
2. I am the custodian for SUN Life (Please insert facility or practitioner name.)  
ANSWER Yes
3. Have you received a subpoena duces tecum for the production of those documents listed in question number four?  
ANSWER Yes
4. Are you among those who have possession, custody, control of, or access to any and all disability records and/or documents, including but not limited to any and all applications for disability, medical records, requests for leave, requests for accommodation, job descriptions, communications with Artis Ellis, communications with medical providers, documents related to disability payments and/or wage replacement, pertaining to Artis Ellis; D.O.B. [REDACTED]; SSN: xxx-xx-[REDACTED]; Policy No.: 61296; Policy Holder: Educational Commission for Foreign Medical Graduates (ECFMG)?  
ANSWER Yes
5. Were the aforementioned records made in the regular course of business of your employer?  
ANSWER Yes
6. Was it in the regular course of business of the above listed for a person with knowledge of the act, event, condition, opinion, or diagnosis recorded to make the record or to transmit information thereof to be included in such record?  
ANSWER Yes
7. State whether these records were made at the time or shortly after the time of the transactions recorded?  
ANSWER Yes
8. Were these records kept as described in the preceding questions?  
ANSWER Yes
9. Does the source of the information, and the method and circumstance of its preparation, establish the trustworthiness of the records?  
ANSWER Yes
10. Please release exact duplicates of the records as requested in the subpoena duces tecum or the originals thereof for photocopying for attachment to this deposition. Have you done as requested? If not, why not?  
ANSWER Yes
11. Are there any records, documents, papers, correspondence or tangible matters of any kind pertaining to Artis Ellis that you have not provided to the notary public taking your deposition?  
ANSWER No
12. Please describe all papers, documents, records, correspondence, or tangible matters of any kind that you have not provided to the notary public taking your deposition and explain why you have not provided them.  
ANSWER No



13. Are you aware that it may be necessary to subpoena you or your employer to court at the time of the trial of this case; if you have not provided to the notary public taking your deposition all papers, documents, records, correspondence, or tangible matters of any kind pertaining to Artis Ellis?

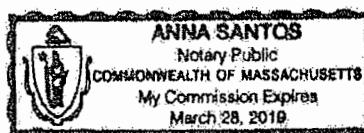
ANSWER Yes

  
WITNESS (Custodian of Records)

Before me, the undersigned authority, on this day personally appeared 3-10-16,  
Lawrence R. Griffin, custodian of records for the above listed, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the records attached hereto are exact duplicates of the original records.

SWORN TO AND SUBSCRIBED before me this 10<sup>th</sup> day of March,  
20 16.

  
NOTARY PUBLIC





GENWORTH FINANCIAL IS NOW  
SUN LIFE FINANCIAL

Employer Benefits Group

175 Addison Road  
Windsor, CT 06095  
Tel: 860.737.1000  
FAX: 860.737.1093  
[www.sunlife.com](http://www.sunlife.com)

To: Jennifer Burns From: Barbara Kinney  
US Legal Support Tel #: 860-737-6671  
Fax #: 860-737-6598  
Date: March 9, 2016

Fax: 281-552-8944 This cover + 19 page(s)

*Message:*

Re: Artis Ellis Records

- Original will follow by mail
- No other copy will be sent.
- Please make copies and distribute.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any distribution or duplication of this communication is strictly prohibited. Any inadvertent receipt by you of such communication is not intended to constitute a waiver of any privilege. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

From

03/09/2016 15:44

0412 P.002/020

Page 1 of 1

Print

Claim Control		Claim Status		Claim Type	
Policy #		Block		Group Office	
Last Name		Last Name		Chain Office	
Last Payment Date					
Start Date		Due Date		Priority	

ECFMG/Ellis\_003886

From:

03/09/2016 15:44 H412 P.003/020

Ultra - D-MAP Print Preview Dialog

Page 1 of 3

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## D-MAP

Claim Control # 011012-02281-00

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03/02/2016 4:41:11 PM

Norma Charles - FE

PRINTED FILE AS REQUESTED

03/01/2016 7:58:39 AM

Larry Griffin - FE

sent to request to have file printed  
E-mail from Legal

From: Barbara J Kinney/Legal/US/SunLife  
To: Larry Griffin/Group/US/SunLife@SunLife, Cynthia Johnston/Group/US/SunLife@SunLife, Yarimal Lara/Group/US/SunLife@SunLife, Susan Krute/Group/US/SunLife@SunLife, Kim McCraw/Group/US/SunLife@SunLife, Layna Koy/Group/US/SunLife@SunLife  
Date: 02/29/2016 01:49 PM  
Subject: Subpoena Notice - Ellis

\*\*\*Your Response is Mandatory and Required Immediately\*\*\*

**Subpoena Notice**

**Group Document Request**

We have received a subpoena request for the following information listed below, please provide the documents checked below by:  
Due Date: Immediately

Client Name: Artis Ellis SSN/TIN: [REDACTED]  
DOB: [REDACTED]  
Policy #: 61296 Claim #: [REDACTED]

**Documents Requested**

- Beneficiary Forms (designation/change)
- Benefit Payment Documentation
- Changes of Ownership
- Claim File
- Copies of Benefit Checks
- Copy of Policy
- Correspondence
- Applications for benefits
- Medical Records
- Payment History
- Premium Payment documentation
- Surveillance Reports
- Current Status of policy

**Additional Items Requested**

- Video CDs
- Photographs:

Please let me know if you are able to establish a relationship. If a relationship exists, please pull the requested documentation and forward to my attention by the date above at SC 5500 / W499 (Windsor 4th Floor)

From:

03/12/2016 14:36

#412 P-002/004

Ultera - D-MAP Print Preview Dialog

Page 2 of 3

Barbara J. Kinney  
Sun Life Financial  
Law Department  
175 Addison Road  
Windsor, CT 06095  
Tel: 860-737-6671  
Fax: 860-737-6598  
[barbara.kinney@sunlife.com](mailto:barbara.kinney@sunlife.com)

02/25/2016 10:35:10 AM

Kaitlyn Nickle - CSC

Jennifer Justiss called to see where she could submit request to subpoena all EEs docs. Gave email, fax # and mailing address.

10/15/2012 10:16:13 AM

Victoria Strout - MSTD

\$1200 Report/ok vis

10/12/2012 8:53:07 AM

Andrea Bayides - STDA

\$1200 Audit/OK/AB

10/11/2012 1:56:36 PM

Maura Harnois - STDA

From: Maura Harnois/Group/US/SunLife  
To: STD QA@SunLife  
Date: 2012/10/11 01:55 PM  
Subject: Approved: 1.2K - Artis Ellis 041012-02281-00

Approved: 1.2K - Artis Ellis 041012-02281-00

Maura Harnois  
Claims Associate, Short Term Disability  
Sun Life Financial Employee Benefits Group.  
Phone 1-800-451-2513 EXT 1188  
Fax (781) 304-5519

10/11/2012 1:51:26 PM

Maura Harnois - STDA

From: Maura Harnois/Group/US/SunLife  
To: [jplush@ecfmg.org](mailto:jplush@ecfmg.org)  
Date: 2012/10/11 01:49 PM  
Subject: Advice to Pay: Artis Ellis

Hello,

Attached you will find a SunAdvisor disability claim recommendation for the above referenced employee based upon a review of all information in our files. Disability payments, if due, are mailed the business day following claim approval and will continue weekly through the Approved To date.

Should you not accept this claim recommendation for any reason, please respond to this email within 24 business hours. Should you have any questions regarding this claim or your STD plan, please feel free to contact me directly at any time.

[attachment "Artis Ellis ATP.doc" deleted by Maura Harnois/Group/US/SunLife]

<http://ultera.ca.sunlife/ultera/viewer/notepad/notepadprintpreview.asp?dotcap=D-MAP>

03/02/2016

ECFMG/Ellis\_003888

From:

03/09/2016 16:46 R412 P.006/020

Ultera - D-MAP Print Preview Dialog

Page 3 of 3

Maura Harnois  
Claims Associate, Short Term Disability  
Sun Life Financial Employee Benefits Group  
Phone 1-800-451-2513 EXT 1188  
Fax (781) 304-5519

10/11/2012 1:43:23 PM

Maura Harnois - STDA

Occ: Center Mgr, light occ, no JD rec'd  
LDW: 9/11/2012  
DX: 227.3; pituitary macroadenoma  
TD date 9/12/2012  
Expiry: 12/9/2012  
LTD eligible: Y  
MDA info: 227.3: Benign Neoplasm of Other Endocrine Glands and Related Structures; Pituitary Gland and Craniopharyngeal-Duct; Craniobuccal Pouch; Hypophysis; Rathke's Pouch; Sella Turcica, duration not listed  
Special Instructions: Plan 80  
EARNINGS DEFINITION - USE SUN LIFE STANDARD  
15TH OF THE MONTH FOLLOWING 3 MONTHS OF EMPLOYMENT  
W-2 SERVICE ADDED EFFECTIVE TAX YEAR 2005  
PHILADELPHIA  
PRIOR COVERAGE

\*\*\*\*\*SUN ADVISOR ADMINISTRATIVE SERVICES ONLY\*\*\*\*\*

DEFINITION OF DISABILITY - USE PRIOR DEFINITION OF DISABILITY

State Dis?: no

STD Contrib: NC

Contribution/taxability in CHESS match ER section?: n/a

BA: Joseph Plush [REDACTED]

AP: Dr. Yorshon 713-798-4696

Mail Code: E001

Initial claim decision:

I have rev'd the contract for eligibility wording, doh, wp, and contributions - EE appears eligible for STD coverage.  
I have reviewed Ultera for prior STD and LTD claims- this new claim is not successive. I have verified no outstanding overpayments

\$1677.12 weekly earnings

EE rec'd sick pay 9/12 – 9/25/12, \$1677.12, set offset in CHESS.

EE experiencing dizziness, HO confined 9/12 -9/15/12, EE underwent SX for resection of pituitary adenoma on 9/14/12. R&Ls; patient should stay off work 4 – 6 weeks to allow complete recovery. Severe limitation.  
AP: RTW 10/22/2012

Reasonable to ATP to 10/21/12, closed claim, sent ATP  
Called EE [REDACTED], phone rang, no VM picked up  
Sent to 1.2 K Audit

From:

10/02/09/2016 10:29:16

#412 P 006/020

OCT-04-2012 11:28 From:  
Oct 02 2012 4:28PM HP Fax

To:USSLF-HF-10-PROJ P.1x1d

SEP-25-2012 13:37 From:

page 5

To:17137503739 P.6x15

## Sun Life Assurance Company of Canada Short Term Disability Claim Packet



### Instructions for the Plan Administrator

An initial claim for Short Term Disability benefits should be submitted when a disability absence has actually begun, and it first appears that the eligible employee's disability will extend beyond the required elimination period. To file a Short Term Disability Claim, prefill Section A: Employer's Statement. Then, provide the entire claim packet to the employee. The employee should make sure all of the sections are complete including the Physician Statement. Then, he or she should mail or fax the completed claim form to:

Sun Life Assurance Company of Canada  
Group Short Term Disability Claims  
P.O. Box 81915  
Wellesley Hills, MA 02481  
Tel: 1-800-247-6875  
Fax: (781) 304-3599

**Failure to provide complete and accurate information could result in the need for additional claims investigation which could delay the initial benefit payment.**

### Section A: Employer's Statement

#### 1 General Information

Please print clearly.	Name of employer <i>ESFM G</i>	Group policy number <i>61296</i>	Class
	Name of employee (first, middle initial, last) <i>Artis ELLIS</i>	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	Social Security number <i>[Redacted]</i>
	Name and address of Division where employee works <i>400 N. Sam Houston Pkwy East Houston, TX</i>	Date of birth <i>[Redacted]</i>	Employee phone no. <i>[Redacted]</i>

#### 2 Employment and Claim Information

Please list all salary information.

Date hired (month/year)	Effective date of insurance	Date last worked	Hours worked last day
<i>4/8/05</i>	<i>7/1/05</i>	<i>9/11/12</i>	<i>7</i>
Job title / Major job duties (Or, explain employee's formal job description) <i>Center Mgr - All functions of running a fast food restaurant</i>			
Regularly scheduled work week:		How long had employee been in occupation?	
Days per week:	Hours per day:	Years:	Months:
Has the employee's employment been terminated? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Why did employee cease working? <i>Diseases</i>			

From:

09/09/2016 16:47

H402 12-007-020

Oct 04 2012 11:28 From:

To:USSLF-REFD-PPD

P.2/10

Oct 02 2012 4:28PM HP Fax

Page: 5

SEP-25-2012 13:37 From:

To:17137983739

P.7/15

**2 Employment and Claim Information continued**

How would you classify this employee's occupation?

 Sedentary (1-10 lbs)  Light (11-20 lbs)  Medium (21-50 lbs)  Heavy (51+ lbs)Is the condition due to an injury or sickness arising out of employee's job?  Yes  No  DisputedHas a Workers' Compensation claim been filed?  Yes  No

If "yes," please include the initial report of illness/injury and award/denial notice with this claim.

Name of your Workers' Compensation carrier:	Phone number
Has employee returned to work? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes: <input type="checkbox"/> With restrictions <input type="checkbox"/> Full capacity	Date returned

**3. Disability and premiums information**

Indicate whether or not the employee contributes to the STD premium on a pre- or post-tax basis.

How was the employee paid? (check one)

 Hourly  Salaried

\$ per hour \$ per week 1677.12

Provide information about other income:

Commissions	Bonuses	Overtime
\$	\$	\$

Does employee contribute toward the STD premium?

• If "yes," attach a copy of employee's enrollment form

in this claim and indicate percentage contribution.....

 Yes  No

Employee: % Employer: %

• Are employee contributions made with pre-tax dollars?  Yes  No**4. Information About Other Income**

Is employee currently receiving, or entitled to receive, benefits from any of the following sources?

Check all that apply  
and provide details  
for each source of  
income.

Source of income	Amount of each payment	Weekly or monthly?	Period(s) covered by payment
<input type="checkbox"/> Vacation pay	\$	<input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Monthly	
<input type="checkbox"/> Sick pay	\$ 1677.12	<input checked="" type="checkbox"/> Weekly <input type="checkbox"/> Monthly	9/10 - 9/26
<input type="checkbox"/> State Disability	\$	<input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Monthly	
<input type="checkbox"/> Other	\$	<input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Monthly	

**5 Certification and Signature**Title: To certify  
eligibility, mail or  
fax the employee's  
enrollment form  
with the claim.I certify that the above statements are true and complete. I have read and understand the Fraud  
Warning on page 6 of this packet.

Name of person completing this form <i>Todd J. Ellis</i>	Telephone number [redacted]	E-mail address <i>jellis@ecfmg.org</i>
Signature <i>J. Ellis</i>	Title Benefits Training Mgr	Date signed 10/3/12

For more information about Short Term Disability, the claim process and the status of your  
employees' claims, log onto CustomerLink at <http://customerlink.sunlife-usa.com>

From:

07/03/2012 11:28 AM

#412 P.008/Q20

07/03/2012 11:28 From:

To:USSLF-BF10.PRD1

P.3-10

10/03/2012 5:13PM (GMT-04:00)

## Sun Life Assurance Company of Canada Short Term Disability Claim Packet



### Section B: Employee's Statement

#### 1 General Information

Provide your full address and Social Security number.

Your name (first, middle initial, last) <i>Artis Ellis</i>	<input type="checkbox"/> M	Social Security number [REDACTED]	Date of birth [REDACTED]
Address [REDACTED]	<input checked="" type="checkbox"/> F	City [REDACTED]	State Zip Code [REDACTED]
Your occupation <i>Center Manager</i>		Telephone Number (781) 266-7440	
Employer Name <i>ECFMG</i>		Group Policy Number 60296	

#### 2 Information About the Condition Causing Your Disability

Reminder: Return completed claim packet (including Attending Physician Statement) and all required documentation to:

Sun Life Assurance Company of Canada  
Group STD Claims  
P.O. Box 81915  
Wellesley Hills, MA 02481  
Tel: 1 800 247 8878  
Fax: (781) 304-8498

Type (check one): <input type="checkbox"/> Pregnancy	<input type="checkbox"/> Motor vehicle accident	<input type="checkbox"/> Work-related injury/illness
<input type="checkbox"/> Sickness	<input type="checkbox"/> Other accident	
Describe in detail how, when and where the accident occurred -OR- Describe the nature of your illness/condition and its first symptoms. If work-related, describe cause of injury/illness. <i>Major brain tumor remove from the brain</i>		
Date you were first treated by a physician 9/11/12	Last day you had prior to disability 9/12/12	Did you work <input checked="" type="checkbox"/> Yes a full day? <input type="checkbox"/> No
Name of your first treating physician <i>Dr. Vosner</i>	Physician phone number (713) 798-4696	
Date first unable to work 9/11/12	Date you expect to return to work 10/22/12	Date you expect to return full or part-time? <input checked="" type="checkbox"/> Full-Time <input checked="" type="checkbox"/> Part-Time

If work-related, have you filed/do you intend to file, a Workers' Compensation claim?...  Yes  No

#### 3 Information About Other Income

Are you currently receiving, or entitled to receive, benefits from any of the following sources?			
Source of income	Amount of each payment	Weekly or monthly?	Period(s) covered by payment
<input type="checkbox"/> Vacation pay	\$	<input type="checkbox"/> Wkly <input type="checkbox"/> Mthly	
<input checked="" type="checkbox"/> Sick pay	\$ 2	<input checked="" type="checkbox"/> Wkly <input type="checkbox"/> Mthly	
<input type="checkbox"/> State Disability	\$	<input type="checkbox"/> Wkly <input type="checkbox"/> Mthly	
<input type="checkbox"/> Other	\$	<input type="checkbox"/> Wkly <input type="checkbox"/> Mthly	

#### 4 Signature

Reminder: Please be sure to sign and return any Authorization statements included in this packet.

I certify that the above statements are true and complete. I have read and understand the Fraud Warning on page 6 of this packet.
Employee signature <i>Artis Ellis</i>
Date signed 10/21/12

From:

03/03/2016 11:49

#412 120097020

DCT-04-2012 11:28 From:

To:USSLF RF10 PRO1

P.4110

10/03/2012 5:13PM (GMT+0:00)  
SEP-25-2012 13:38 From:

To:17137993739

P.9x15

## Sun Life Assurance Company of Canada Short Term Disability Claim Packet



### Section C: Attending Physician's Statement

#### 1 Information About the Patient

Please print clearly

Name of Patient (first, middle initial, last)	<input type="checkbox"/> M	Social Security number	Date of birth (month)
Artis Ellis	<input checked="" type="checkbox"/> F		
Name of Employer	Group Policy number		Employee phone no.
ECFMG	01296		

#### 2 Diagnosis and History

Provide general information about diagnosis and history in this section. This, please elaborate in section(s) 3-6 as appropriate.

Diagnosis including any complications and ICD-9 Codes(s)		ICP 9 : 227.3
pituitary macroadenoma		
Objective findings (i.e. x-rays, EKGs, MRIs, laboratory data and any other clinical findings)		
MRI with pituitary macroadenoma		
Subjective Symptoms		
Patient with vision loss and headache		
Date symptoms first appeared or date of accident	Date Disability Commenced	
AUGUST 30, 2012	9/12/12	
Has patient ever had same or similar condition? .....	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes, when:		Unknown
Is condition due to injury/sickness arising out of patient's employment? .....		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		
Name(s) and telephone number(s) of other treating physicians if applicable, .....		
If pregnancy, please provide the following information: > Expected delivery date: _____ Actual delivery date: _____ D-Section? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Describe any complications that would extend this disability longer than a normal pregnancy		

#### 3 Treatment

Indicate if undergoing any surgery, therapeutic modalities, psychological interventions and medications prescribed.

Treatment first used	First treatment used	First treatment used
9/12/12	9/12/12	9/12/12
Frequency of treatment	<input type="checkbox"/> Weekly	<input type="checkbox"/> Monthly
<input checked="" type="checkbox"/> Other (please specify): in 3 month		
Patient underwent Surgery for resection of pituitary adenoma on 9/14/12		

#### 4 Progress

Has patient: .....	<input checked="" type="checkbox"/> Recovered	<input type="checkbox"/> Unchanged	<input type="checkbox"/> Improved	<input type="checkbox"/> Regressed
Is patient: .....	<input type="checkbox"/> Ambulatory	<input type="checkbox"/> Bed confined	<input type="checkbox"/> House confined	<input type="checkbox"/> Hospital confined
If unchanged or regressed, please explain:				

Has patient been hospital confined? .....	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	From: 9/12/12 To: 9/15/12
If yes, provide name and address of hospital			
St. Lukes Episcopal Hospital, Houston, TX 77007			

Continued on next page.

XGR/432 \* STD Claim Packet

Page 4 of 9

110

XGR/432 \* STD Claim Packet

ECFMG/Ellis\_003893

From: OS/OS/P-O10 16:50 #412 P O10/020.

DCT-04-2012 11:28 From:  
Oct 02 2012 4:20PM HP Fax.  
page 9  
To:USSLF RF10 PRO1 P.5-10  
Sep-25-2012 13:38 From:  
Re:17137503739 P.9/15

## Sun Life Assurance Company of Canada Short Term Disability Claim Packet



### Section C: Attending Physician's Statement

#### 1 Information About the Patient

Please print clearly

The patient is responsible for any costs associated with the completion of this form.			
Name of Patient (first, middle initial, last)	<input type="checkbox"/> M	Social Security number	Date of birth (mm/dd)
Ardis Ellis	DF		
Name of Employer	Group Policy number		Employee check no.
ECFMG			

#### 2 Diagnosis and History

Provide general information about diagnosis and history in this section. Then, please elaborate in section(s) 3-6 as appropriate.

Diagnosis including any complications and ICD-9 Codes(s)		ICP 9 : 227.3
Pituitary macroadenoma		
Objective findings (i.e. x-rays, EKGs, MRIs, laboratory data and any other clinical findings)		
MRI WITH PITUITARY MACROADENOMA		
Subjective Symptoms		
Patient with vision loss and headaches		
Date symptoms first appeared or date of accident	Date Disability Commenced	
August 30, 2012	9/12/12	
Has patient ever had same or similar condition? .....	<input type="checkbox"/> Yes	<input type="checkbox"/> No If Yes, when: UNKNOWN
Is condition due to injury/sickness arising out of patient's employment? .....	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> NO <input type="checkbox"/> Unknown
Names and telephone numbers of Other Treating Physicians (if applicable) N/A		
If pregnancy, please provide the following information: N/A		
• Expected delivery date:	Actual delivery date:	C-Section? <input type="checkbox"/> Yes <input type="checkbox"/> No
Describe any complications that would extend this disability longer than a normal pregnancy		

#### 3 Treatment

Include an description of any surgery, therapeutic modalities, psychological intervention and medications prescribed.

Date of first visit	Date of last visit	Date of last examination
9/12/12	9/25/12	9/25/12
Frequency of treatment.....	<input type="checkbox"/> Weekly	<input type="checkbox"/> Monthly
Description of Treatment	<input type="checkbox"/> Other (please specify: in 3 months)	
Patient underwent Surgery for removal of pituitary tumor		

#### 4 Progress

Has patient: .....	<input checked="" type="checkbox"/> Recovered	<input type="checkbox"/> Unchanged	<input type="checkbox"/> Improved	<input type="checkbox"/> Regressed
Is patient: .....	<input type="checkbox"/> Ambulatory	<input checked="" type="checkbox"/> Bed confined	<input type="checkbox"/> House confined	<input type="checkbox"/> Hospital confined
If unchanged or regressed, please explain:				
Has patient been hospital confined? .....	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	From: 9/12/12	To: 9/15/12
Sp. Luke Episcopcal hospital, Houston, TX 77000				

Continued on next page

XGR/432 • STD Claim Packet

Page 4 of 6

10/02/2012 12:32PM (GMT-04:00)

ECFMG/Ellis\_003894

From:

03/09/2010 16:50

#412 P.011/020

OCT-04 2012 11:29 From:

To:USSLF\_PP10\_PRD1

P.6/10

Oct 02 2012 4:30PM HP Fax

page 10

SEP-25-2012 13:39 From:

To:17137983739

P.10/15

**3 Restrictions and Limitations**

Restrictions and  
Limitations should be  
associated with the  
Objective and  
Subjective  
findings/symptoms  
noted in section 2.

Restrictions (what the patient should not do)

Patient should stay off work 4-6 weeks to allow  
complete recovery

Limitations (what the patient cannot do)

Is the patient capable of working within these restrictions/limitations?  Yes  No  
Can the patient work an eight-hour day with these restrictions/limitations?  Yes  No  
If no, how many hours could he/she work?  No  10  12  14  16  18  20 Hours  
Is patient capable of working in another occupation?  Yes - Full-time  Yes - Part-time  No

Indicate class of  
physical impairment.

**Physical Impairment**

- Class 1 - No limitation of functional capacity; capable of heavy work\* No restrictions (0-10%)
- Class 2 - Medium manual activity\* (15-30%)
- Class 3 - Slight limitation; capable of light work\* (35-65%)
- Class 4 - Moderate limitation; capable of clerical/administrative (sedentary\*) activity (60-70%)
- Class 5 - Severe limitation; incapable of minimum (sedentary\*) activity (75-100%)

\* As defined in  
federal dictionary of  
occupation titles

Indicate class of  
mental impairment.

**Mental Impairment (if applicable)**

- Class 1 - No limitation  Class 4 - Marked limitation
- Class 2 - Slight limitation  Class 5 - Severe limitation
- Class 3 - Moderate limitation

What is the patient's  
current DSM-IV-R  
diagnosis?

Axis I

Axis IV

Axis II

Axis V

Axis III

Do you believe this patient is competent to endorse checks/direct the use of proceeds?  Yes  No**4 Return-to-Work**

1. When will patient recover sufficiently to perform duties? (Specify date or check recovery period)

\* Patient's occupation part-time:  
Date: \_\_\_\_\_ or  1-3 wks  3-4 wks  5-6 wks  7-8 wks  2 months or more  Never

\* Patient's occupation full-time:  
Date: 10/25/12 or  1-3 wks  3-4 wks  5-6 wks  7-8 wks  2 months or more  Never

2. After reviewing the material and substantial duties of the patient's occupation, would  
you recommend vocational counseling and/or rehabilitation or job modification?  Yes  No**5 Certification and Signature**

Remember to provide  
your full address and  
Tax ID number.

I certify that the above statements are true and complete. I have read and understand the Fraud  
Warning on page 6 of this packet.

A stamp or signature  
of a person other than  
the examining  
physician is not  
acceptable.

Name of Attending Physician <u>Daniel Yoshida</u>	Degree/Specialty <u>MD</u>
Office Address <u>1709 Dryden</u>	City <u>Houston</u>
Tax ID number <u>74-14013878</u>	State <u>TX</u>
Attending Physician Signature <u>D. Yoshida</u>	Zip Code <u>77030</u>
	Telephone number <u>(713) 798-4696</u>
	Fax number <u>(713) 798-3739</u>
	Date <u>9/25/12</u>

AMERICAN MEDICAL PACKS

Page 5 of 6

10/02/2012 12:32PM (GMT-04:00)

ECFMG/Ellis\_003895

From:

03/09/2016 15:51

#412 P.012/020

OCT-04-2012 11:29 From:  
Oct 02 2012 4:30PM HP Fax  
SEP-25-2012 13:39 From:

To:USSLF RF10 PRD1 P.7/10  
page 11  
To:17137993739 P.11/15

## Sun Life Assurance Company of Canada Short Term Disability Claim Packet



### Fraud Warnings

State law requires that we notify you of the following:

**Fraud Warning:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

**Fraud Warning - California:** For your protection, California law requires the following to appear on this form: Any person who knowingly presents a false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

**Fraud Warning - Colorado:** It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

**Fraud Warning - Florida:** Any person who knowingly and with intent to injure, defraud, or deceive any insurer files a statement of claim or an application containing any false, incomplete, or misleading information is guilty of a felony of the third degree.

**Fraud Warning - Louisiana and Massachusetts:** Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

**Fraud Warning - Maryland:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime as determined by a court of competent jurisdiction.

**Fraud Warning - New Jersey:** Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

**Fraud Warning - Oregon, Virginia and Washington:** Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement may have violated state law.

**Fraud Warning - Vermont:** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which may be a crime and subjects such person to criminal and civil penalties.

From:

03/09/2016 15:52

#412 R.013/020

OCT-04-2012 11:29 From:  
Oct 02 2012 4:30PM HP Fax

Te:USSLM RF10 PR01 P,8'10:

SEP-25-2012 13:39 From:

page 12

To:11713/983739

P,18'15

**Sun Life Assurance Company of Canada****Authorization for Release and Disclosure of Health Related Information**

This Authorization complies with the HIPAA Privacy Rule. It is important for you to read, sign and submit all Authorizations in this packet. Failure to submit all Authorizations could result in a delay during the claims process.

Return to:  
Sun Life Assurance  
Company of Canada  
Group STD Claims  
P.O. Box 81913  
Wellesley Hills, MA 02481  
Fax: (781) 304-5509

I HEREBY AUTHORIZE any physician, health care provider, health plan, medical professional, hospital, clinic, laboratory, pharmacy or other medical or healthcare facility that has provided payment, treatment or services to me or on my behalf, to disclose my entire medical record and any other protected health information concerning me to the Claims Department of Sun Life Assurance Company of Canada ("the Company") its subsidiaries, affiliates, third party administrators and reinsurers.

I understand that such information may include records relating to my physical or mental condition such as diagnostic tests, physical examination notes and treatment histories, which may include information regarding the diagnosis and treatment of human immunodeficiency virus (HIV) infection, sexually transmitted diseases, mental illness and the use of alcohol, drugs and tobacco, but shall not include psychotherapy notes.

By my signature below, I acknowledge that any agreements I have made to restrict my protected health information do not apply to this Authorization, and I instruct any physician, health care professional, hospital, clinic, medical facility or other health care provider to release and disclose my entire medical record without restriction.

I understand that the Company will use the information it obtains to (a) administer claims; (b) determine or fulfill responsibility for coverage and provision of benefits; (c) administer coverage; and/or (d) conduct other legally permissible activities that relate to any coverage I have or have applied for with the Company.

I understand that the Company will not disclose information it obtains about me except as authorized by this Authorization; as may be required or permitted by law; or as I may further authorize. I understand that if information is rediscovered as permitted by this Authorization, it may no longer be protected by applicable federal privacy law.

I understand that: (a) this Authorization shall be valid for 24 months from the date I sign it; (b) I may revoke it at any time by providing written notice to Sun Life Financial, Group Short Term Disability Claims, SC 32121, One Sun Life Executive Park, Wellesley Hills, Massachusetts, 02481, subject to the rights of any person who acted in reliance on it prior to receiving notice of its revocation; and (c) my authorized representative and I are entitled to receive a copy of the Authorization upon request.

A copy of this Authorization shall be as valid as the original.

Print Name of Employee or Personal Representative of Employee	Group Policy Number
II Representative, description of your authority or relationship to employee	
Signature of Employee or Personal Representative	Date
<i>Orlin Ellis</i>	10/21/12

From: 03/09/2016 16:53 #412 F 0147020

Oct-04-2012 11:29 From:  
Oct 02 2012 4:31PM HP Fax  
SEP-25-2012 13:40 From:To:USSLF\_RP10.PRD1 P.9/10  
page 13  
Tel:1713793739 P.13/15**SUN LIFE ASSURANCE COMPANY OF CANADA****Authorization for Release and Disclosure of Psychotherapy Notes**

This Authorization complies with the HIPAA Privacy Rule. It is important for you to read, sign and submit all Authorizations in this packet. Failure to submit all Authorizations could result in a delay during the claims process.

Return to:  
Sun Life Assurance Company of Canada  
Group STD Claims  
P.O. Box 81915  
Wellesley Hills, MA 02481  
Fax: (781) 304-5500

I HEREBY AUTHORIZE any physician, health care provider, health plan, medical professional, hospital, clinic, or other medical or health care facility that has provided payment, treatment or services to me or on my behalf, to disclose any psychotherapy notes relating to me to the Claims Department of Sun Life Assurance Company of Canada ("the Company") its subsidiaries, affiliates, third party administrators and reinsurers.

By my signature below, I acknowledge that any agreements I have made to restrict my protected health information do not apply to this Authorization, and I instruct any physician, health care professional, hospital, clinic, medical facility or other health care provider to release and disclose all psychotherapy notes relating to me without restriction.

I understand that the Company will use the information it obtains to: (a) administer claims; (b) determine or fulfill responsibility for coverage and provision of benefits; (c) administer coverage; and/or (d) conduct other legally permissible activities that relate to any coverage I have or have applied for with the Company.

I understand that the Company will not disclose information it obtains about me except as authorized by this Authorization; as may be required or permitted by law; or as I may further authorize. I understand that if information is redisclosed as permitted by this Authorization, it may no longer be protected by applicable federal privacy law.

I understand that: (a) this Authorization shall be valid for 24 months from the date I sign it; (b) I may revoke it at any time by providing written notice to Sun Life Financial Group Short Term Disability Claims Department, SC3212, One Sun Life Executive Park, Wellesley Hills, Massachusetts, 02481, subject to the rights of any person who acted in reliance on it prior to receiving notice of its revocation; and (c) my authorized representative and I are entitled to receive a copy of the Authorization upon request.

A copy of this Authorization shall be as valid as the original.

Print Name of Employee or Personal Representative of Employee	Group Policy Number
If Representative, description of your authority or relationship to employee	
Signature of Employee or Personal Representative <i>[Signature]</i>	Date <i>10/2/12</i>

From:

03/09/2016 15:54 #412 P 0th/020

Oct-04-2012 11:29 From:  
Oct 02 2012 4:31PM HP Fax

To:USSLF RF10 PR01 P:10/10

SEP-05-2012 13:48 From:

page 14

To:17137983739 P:14/15

**Sun Life Assurance Company of Canada**  
 Wellesley Hills, MA 02481  
 1-800-247-6975



#### PRIVACY INFORMATION NOTICE

This notice explains why Sun Life Assurance Company of Canada ("the Company") collects personal information about you, how we use that information, and under what circumstances we disclose it to others.

We need to obtain information about you to determine whether we can provide the insurance benefits you have requested. As part of the claims process, we may ask you to undergo a physical examination, submit a statement from your physician, or provide copies of medical tests or other information relating to your health, financial and activities.

We also may collect information about you from other sources. By signing the Authorization For Release And Disclosure of Health Related Information and/or the Authorization For Release And Disclosure of Psychotherapy Notes, you authorize us to obtain medical information about you that we need to underwrite your application. Depending upon your particular circumstances, we may collect additional information about you from the following sources:

- Physicians, health care providers, medical professionals, hospitals, clinics or other medical or health care related facilities
- Other insurance companies you have applied to for insurance
- Public records, such as Social Security and tax records

#### DISCLOSURE OF PERSONAL INFORMATION

When you sign the Authorization For Release And Disclosure of Health Related Information and/or the Authorization For Release And Disclosure of Psychotherapy Notes, you authorize us to disclose information we have about you:

- To our reinsurers
- As required or permitted by law

In the course of the claims process, we may need to disclose information about you to others. The law permits us to disclose such information, without obtaining authorization from you, to:

- Companies that help us conduct our business or perform services on our behalf
- Your physician or treating medical professional
- Comply with federal, state or local laws, respond to a subpoena or comply with an inquiry by a government agency or regulator

#### ACCESS, CORRECTION AND AMENDMENT OF PERSONAL INFORMATION

Upon written request to the Company, you can:

- Obtain a copy of the personal recorded information we have about you in our files (a fee may be charged to cover the cost of providing a copy of such information)
- Request that we correct, amend or delete any recorded personal information about you in our possession
- File your own statement of facts if you believe that the recorded personal information we have about you is incorrect

To take any of these actions, please contact us at the following address for further instructions:

**Sun Life Assurance Company of Canada**  
 Group Short Term Disability Claims  
 P.O. Box K1W13  
 Wellesley Hills, MA 02481

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Page 9 of 9

04/05

10/02/2012 12:32PM (GMT-04:00)

ECFMG/Ellis\_003899

From:

03/07/2016 14:56 #417 IP:003/004

Sun  
Life Financial

Service Agreement: 61296

***SunAdvisor® Short Term Disability***

Date: Thursday, October 11, 2012 From: Maura Harnois  
To: Joe Plush Email: [jplush@ecfmg.org](mailto:jplush@ecfmg.org)  
Company: Educ Com for Foreign Med Grads Pages: 1  

---

Re: SICK LEAVE ADVICE NOTIFICATION 041012-02281-00

We have completed our review of your request for advice regarding the following employee's absence.

Employee: Artis Ellis

Employee I.D. # [REDACTED]

According to our review of the information received, we recommend that the disability approval commence effective September 12, 2012 (date of hospitalization). Any payment would be subject to your plan elimination period for an illness. At this time we recommend, based on the employee's condition, that the disability payment continue through October 21, 2012 (one day prior to the physician's return to work date).

If the employee does not return to work on a full-time basis by the aforementioned date, and would like to be considered for additional benefit review, a medical update should be submitted. Specifically, the employee should have the treating physician submit a copy of the examination report(s) and any accompanying test results. This information may be forwarded to this office by fax at (781) 304-5519 or mailed to the above address. Upon receipt, we will advise you accordingly. Please note: An out of work note is generally not effective in detailing evidence of ongoing disability.

Should you have any questions or concerns, or if you require assistance obtaining information or otherwise, please feel free to call our Customer Service Department at (800)247-6875.

Sincerely,

Maura Harnois, *SunAdvisor®*

ECFMG/Ellis\_003900

J. Ellis

03/09/2016 16:56 8412-P.O17/020

Page 1 of 1

## SUN ADVISOR/ ECI ELIGIBILITY REVIEW

Work Type  
SunAdvisor Eligibility

Claim Control #:	Claim Status:	Claim Type:
041012-02281-00	Potential	Sun Advisor
Policy #:	Cert #:	Group Office:
61296	458539208	
Last Name:	First Name:	Claim Office:
ELLIS	ARTIS	Portsmouth
Last Payment Date:		
Start Date:	Due Date:	Priority:
5/Oct/2012	5/Oct/2012	1

## ELIGIBILITY REVIEW

Mod#:	4	Elim Period Illness:
Elim Period Accident:		
1st Day Hospital:		
# of Weeks In Plan:		Eligible for LTD:
Has EE RTW:		If Y, Date:
Employment Status:		
Primary Diagnosis:		Age:
Secondary Diagnosis:		
Treatment Plan		
ICD Code(s):		
Disability Advisor Page #:		Date Last Worked: 11/Sep/2012
Doctor's Dis Date:	12/Sep/2012	Date 1st Treat after DLW:
Date of Last OV:		Date Hospitalized: 12/Sep/2012
Work Related ***If Not Answered Call***		
Employer: <input type="checkbox"/> Completed Phone Template.		
Physician: <input type="checkbox"/> Completed Phone Template.		
Assigned To: Maura Harnois - STDA	Created: 5/Oct/2012	Work Item ID: 7885850

From:

03/17/2016 11:36 AM 03/17 P 0047664

Page 1 of 1

## ZSYS Chess Task

**Work Type**  
ZSYS - AM Sent Task

Claim Control #:	Claim Status:	Claim Type:
041012-02281-00	Terminated	Sun Advisor
Policy #:	Cert #:	Group Office:
61296	458539208	PHILADELPHIA
Last Name:	First Name:	Claim Office:
ELLIJS	ARTIS	Boston
Last Payment Date:		
21/Oct/2012		
Start Date:	Due Date:	Priority:
12/Oct/2012	12/Oct/2012	1

Description:

Message:

\* IMPORTANT We were pleased to learn that you returned to work on 221012. This payment represents the final benefit payment as of October 21, 2012. Your claim file is now closed. Thank you.

Assigned To:	Created:	Work Item ID:
	12/Oct/2012	7907082

From:

D3/09/2016 15:56 #412 P.9 19/02/0

Page 1 of 1

## TEAM LEAD/MANAGER REFERRAL

## Work Type

Team Lead / Manager Referral

Claim Control #:	Claim Status:	Claim Type:
041012-02261-00	Terminated	Su Advisor
Policy #:	Cert #:	Group Office:
61296	458539208	PHILADELPHIA
Last Name:	First Name:	Claim Office:
ELLIS	ARTIS	Boston
Last Payment Date:		
21/Oct/2012		
Start Date:	Due Date:	Priority:
12/Oct/2012	19/Oct/2012	3

## REFERRAL

- Complaint received dated: From  
 See Second Appeal Dated:  
and Medical Opinion Dated:  
 See correspondence dated: From  
 Cheque over authority level:  
 See File Summary/D-MAP:  
 Handle Approval  
 Provide Recommendation  
 See Comments  
QC-Clear-AB

## RESPONSE

## Team Leader/Manager Response:

- Agree with action plan.  
 See Comments/Recommendations  
 See Comments

Assigned To:  
Andrea Bayides - STDACreated:  
12/Oct/2012Work Item ID:  
7907752

From:

03/09/2016 15:02 #412 P 020/020

Page 1 of 1

ZSYS Chess Task

Work Type

ZSYS - AM Sent Task

Claim Control #:	Claim Status:	Claim Type:
041012-02281-00	Terminated	Sun Advisor
Policy #:	Cert #:	Group Office:
61296	458539208	PHILADELPHIA
Last Name:	First Name:	Claim Office:
ELLIS	ARTIS	Boston
Last Payment Date:		
21/Oct/2012		
Start Date:	Due Date:	Priority:
17/Oct/2012	17/Oct/2012	1

Description:

Message:

"IMPORTANT We were pleased to learn that you returned to work on 221012. This payment represents the final benefit payment as of October 21, 2012. Your claim file is now closed. Thank you.

Assigned To:

Created:  
17/Oct/2012

Work Item ID:  
7921721